

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

RANCHERS CATTLEMEN ACTION)	
LEGAL FUND UNITED)	
STOCKGROWERS OF AMERICA,)	CV-05-06-BLG-RFC
)	
Plaintiff,)	
)	
vs.)	
)	SCHEDULING ORDER
UNITED STATES DEPARTMENT OF)	
AGRICULTURE, ANIMAL AND)	
PLANT HEALTH INSPECTION)	
SERVICE, and MIKE JOHANNNS,)	
IN HIS CAPACITY AS THE)	
SECRETARY OF AGRICULTURE,)	
)	
Defendants.)	
)	

The parties have submitted a Joint Proposed Scheduling Order and upon consideration thereof, IT IS
HEREBY ORDERED THAT:

1. Plaintiff shall file a motion to compel with respect to depositions it wishes to take of the USDA by **April 1, 2005**. Defendant shall file any opposition motion by **April 8, 2005**.
2. Plaintiff shall file a motion for summary judgment, with supporting brief and declarations, by **May 9, 2005**. The page limitation for this brief will be 30 pages.
3. Defendant shall file their opposition brief and cross-motion for summary judgment, with supporting brief and declarations, by **June 8, 2005**. The page limitation for these briefs will be 30 pages.
4. Plaintiff shall file a reply brief in support of its motion for summary judgment and an opposition brief to Defendant's cross-motion for summary judgment by **June 22, 2005**. The page limitation for these briefs will be 15 pages.
5. Defendant shall file its reply brief in support of cross-motion for summary judgment by **July 6, 2005**. The page limitation for this brief will be 15 pages.

6. Oral Argument is scheduled for **Wednesday, July 27, 2005, at 9:00 a.m.**, in Courtroom I of the James F. Battin Federal Building, 316 North 26th Street, Billings, Montana.

7. The parties are directed to submit lists of any witnesses who will testify during Oral Argument by **June 24, 2005**, with the following information:

- a) the full name and current address of the witness;
- b) a brief description of the nature and substance of the witness's testimony; and
- c) if the witness was deposed or a statement taken.

The Clerk of Court is directed to notify the parties of the making of this Order.

DATED this _____ day of March, 2005.

RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF MAILING

DATE: _____

BY: _____

I hereby certify that a copy of
this Order was mailed to:

A. Clifford Edwards
Taylor S. Cook
Russell S. Frye
William L. Miller
Peter D. Keisler
Thomas L. Sansonetti
Daniel Meron
William Mercer
Mark Steger Smith
James J. Gilligan
Lisa A. Olson
Marcia Tiersky
Donna S. Fitzgerald